YOUTH SERVICES POLICY

Title: Youth Code of Conduct	Type: B. Classification, Sentencing and
Next Annual Review Date: 09/03/2010	Service Functions Sub Type: 5. Administrative Remedy
	Procedure/Disciplinary Process
	Number: B.5.1
	Page 1 of 16
References:	
ACA Standards 2-CO-3C-01 and 2-CO-4A-01 (Administration of Correctional	
Agencies); 4-JCF-3B-01, 4-JCF-3B-02, 4-JCF-3B-03, 4-JCF-3B-04, 4-JCF-3B-05,	
4-JCF-3B-07, 4-JCF-3B-08, 4-JCF-3B-09, 4-JCF-3B-10 (Performance-Based	
Standards for Juvenile Correctional Facilities)	
STATUS: Approved	

I. AUTHORITY:

Approved By: Mary L. Livers, Deputy Secretary

Deputy Secretary of Youth Services as contained in La. R.S. 36:405.

II. PURPOSE:

To establish the Youth Code of Conduct as a Youth Services (YS) policy and to provide that each youth shall receive a copy of the Code of Conduct in the orientation packet at intake.

Date of Approval: 09/03/2009

III. APPLICABILITY:

Deputy Secretary, Assistant Secretary, Chief Operating Officer, Deputy Assistant Secretary for Facilities, Facility Directors, secure care employees, contractors, volunteers, and youth of each YS secure facility.

IV. POLICY:

It is the Deputy Secretary's policy to have a youth disciplinary system in place to preserve structure and order in the facilities.

V. DEFINITIONS:

Administrative Remedy Procedure – Youth Services Policy B.5.3, a formal review process through which a youth may seek resolution of complaints relating to his stay in secure care.

Assault – For the purposes of this policy an assault is an offensive, aggressive intentional act.

Code of Conduct Committee - staff members selected to hear Code of Conduct major violation reports.

Code of Conduct Committee Chairman – Staff members selected and trained by the Code of Conduct/Legal Programs Officer to chair and conduct Code of Conduct Hearings.

Code of Conduct Due Process Hearing - a hearing conducted by the Code of Conduct Committee that has been convened to hear major violations, and provides the youth with an opportunity to be heard. The youth shall have additional rights as outlined in Section VI.E.

Code of Conduct Office /Legal Programs Office – the administrative section or department of a facility that manages the Code of Conduct process and proceedings and records information in the Code of Conduct database.

Code of Conduct Officer /Legal Programs Officer – the staff member(s) responsible for managing and operating the Code of Conduct Office/Legal Programs Office.

Deferral - the act or an instance of delaying or putting off.

Informal Resolution Processes - the purpose of Informal Resolution Processes is to identify and change negative behavior.

- a. Individual Process a discussion between a youth and staff regarding the youth's behavior that resulted in a minor violation.
- b. Group Process a discussion among the youth's group (youth and staff) regarding the youth's behavior that resulted in a minor violation.

Minor Violation - negative behavior addressed through an Informal Resolution or group process.

Major Violation - behavior which disrupts the provision of services or threatens the safety of the facility, the youth, visitors and/or staff and results in a due process hearing before the Code of Conduct Committee. The Code of Conduct Committee will hear the violation, discuss the youth's behavior and encourage the youth to identify and change the negative behavior to positive behavior by imposing consequences.

Staff Representative - specially trained staff member assigned to represent youth at Code of Conduct hearings. The staff representative's duties may include advising the youth of his hearing rights, presenting evidence, asking questions, raising defenses, and advising the youth about his appeal rights.

VI. PROCEDURES:

Youth behavior violations are classified in two categories, Minor and Major Violations. Staff members are encouraged to address behaviors utilizing the Informal Resolution Process, rather than a written report.

The behavior described in the Minor or Major Violation Report should match the appropriate rule number(s) cited in the Code of Conduct. If the rule number(s) need(s) to be changed for accuracy, any Code of Conduct staff / Committee Member shall make and initial the change or state the fact of change on the record. A change of this nature does not require a continuance of the proceedings.

A. Minor Violations and Consequences

Minor violations include:

- <u>Disobedience</u> Youth must obey orders cooperatively and promptly.
- 2. <u>Disorderly conduct</u> Youth shall not engage in boisterous behavior, including but not limited to, horseplay, loud talking or yelling. Youth shall not cut in line and when in line, they shall stay in line. Audio players shall be played at a volume so as not to disturb others.
- <u>Disrespect</u> Youth shall not subject others to abusive or disrespectful conversation, correspondence, phone calls or gestures. Youth must address staff respectfully.
- 4. <u>Gambling</u> Youth shall not gamble (playing a game for money, property or services; betting on an uncertain outcome).

- 5. <u>Unauthorized area</u> A youth must be in the area where he is authorized to be at that time.
- 6. <u>Unauthorized food</u> Youth shall only have food items authorized by the facility in approved quantities.
- 7. <u>Unauthorized items</u> Youth shall only have items authorized by the facility in approved quantities.

Minor violation consequences:

- 1. Writing activity reflecting on behavior.
- 2. Loss of free time recreation privileges.
- 3. Loss of any special privileges, such as revoking special permission to possess an audio player.
- 4. Verbal warning and referral to counselor or group leader/dorm manager.
- 5. Placement in "cool down", area restriction, time out, cooling off period, time out from general population for a maximum of 60 minutes.
- 6. Verbal or written apology.
- 7. Referral to Individual Treatment Team, group leader, or counselor.
- 8. Other consequences related to exhibited behavior that has been approved by the Dorm Manager or Unit Manager.

B. Minor Violation Procedures:

- 1. Minor violations are often addressed through the Informal Resolution Process.
- 2. If a violation is to be written up, a Minor Violation Report [Attachment B.5.1 (a)] shall be completed and provided to the youth by the end of the reporting employee's shift, but no later than 24 hours from the time of the violation. Failure to obtain the appropriate signatures described below in #3. within the 24 hour period shall result in a dismissal of the violation.

- 3. The violation report must be signed by the youth, and his signature witnessed. If the youth refuses or is unable to sign the Minor Violation Report, this must be documented on the form with the reporting employee's signature along with another employee's signature who witnessed the refusal or inability to sign.
- 4. Staff is cautioned that violations which occur as a single incident shall not be written as multiple violation reports in order to create a Major Violation Report (refer to number 7. below). The Code of Conduct/Legal Programs department shall monitor these incidents and has the discretion to amend/dismiss excessive minor write ups stemming from a single incident.
- 5. The original minor violation report shall be immediately sent to the Code of Conduct/Legal Programs department of the facility, where it will be entered into the database, with a copy forwarded to the Dorm or Unit Manager/Group Leader/Counselor the same day so it can be immediately addressed in the group process.
- 6. Code of Conduct/Legal Programs shall monitor the number of minor violations each youth receives, and, when a youth has accumulated six minors within a seven-day period, shall write the Major Violation report, schedule it for hearing, and refer the results to the Unit Manager/Group Leader/Counselor.
- 7. If a youth receives six or more written minor violations within a seven-day period, the Dorm or Unit Manager/Group Leader/Counselor or designee shall ensure the following is done:
 - a. Schedule a treatment team meeting with the youth to discuss the violations, and
 - b. Check to ensure that the Multiple Minor Violations (Major Violation No. 9) hearing has been scheduled by Code of Conduct/Legal Programs.
- 8. The violation shall be discussed in the youth's next staffing session and a copy placed into his case record.

C. <u>Major Violations and Consequences</u>:

Major Violations include:

- Aggravated Unauthorized Area A youth shall not be away from his assigned area causing disruption to the normal operations of the facility, such as being on the roof of a building, etc., and includes Attempted Escape.
- 2. <u>Assault (Youth/Youth)</u> A youth shall not assault another youth through offensive, aggressive, intentional acts toward another youth.

Examples of assaultive behavior towards youth are:

- a. Fighting
- b. Hitting
- c. Spitting
- d. Throwing or projecting objects or other substances, including any bodily fluids or products.
- 3. <u>Assault (Youth/Staff)</u> A youth shall not assault staff through offensive, aggressive, intentional acts toward a staff member. Examples of assaultive behavior towards staff are:
 - a. Fighting
 - b. Hitting
 - c. Spitting
 - d. Throwing or projecting objects or other substances, including any bodily fluids or products.
- 4. <u>Coercion</u> A youth shall not bribe, influence or coerce anyone to violate facility policies, procedures, rules, or state or federal laws, or attempt to do so. A youth shall not give an employee anything of value.
- 5. Contraband – A youth shall not possess items that are detrimental to the security of the facility or prohibited by law or facility rules/policies. A youth shall not have a positive result on a drug screen or exhibit signs of intoxication. (Examples of contraband are drugs; medications without a prescription; alcoholic beverages; yeast; tattoo machines, syringes; weapons; nude pictures; money; cigarettes; computers; computer accessories, including thumb drives: telephones/cell phones, security radios (walkietalkies);cameras, security screens, fire alarms, keys, and locks. Refusal of a drug test shall result in an automatic finding of "guilty" on a contraband write-up.)

- <u>Cursing</u> Youth shall not curse or insult employees, visitors or their families. Youth shall be written up for the major violation of cursing only after being warned about this behavior and documented attempts to stop the behavior by using the group process have failed.
- 7. <u>Escape</u> A youth shall not depart from either the grounds of a secure facility, or from the custody and control of staff while off the grounds of the facility, or fail to return to the facility from a furlough.
- 8. <u>Gang/gang-like organization/activity</u> Youth may not create or join any group that has not been authorized by the Facility Director. No such group shall destroy property or violate the Code of Conduct rules.
- 9. <u>Multiple Minor Violations</u> Six or more minor written violations received within seven consecutive days following the first infraction.
- 10. <u>Property Destruction</u> A youth shall not damage or destroy property of the state or others.
- 11. <u>Sexual Misconduct</u> Youth shall not engage in sexual behavior with any other person or in front of any other person, or threaten to conduct sexual acts with staff or youth. Examples of this include, but are not limited to:
 - exposing your genitals to others,
 - masturbation,
 - making sexually aggressive statements to staff or youth,
 - groping, touching or fondling.

Sexual misconduct also includes sexual coercion, which is the use of debt, threats of physical harm, peer pressure, deceit, personal favors, or positional authority to force or lure sexual favors from a person, including but not limited to, sexual fondling, oral sex and sexual intercourse.

Sexual solicitation of sexual favors from any person committed to the care of custody of YS or any YS staff member is also a form of sexual misconduct.

12. <u>Tampering with Security Devices</u> - Youth shall not touch, obstruct, activate or interfere with security devices in any manner. These

devices include computers, telephones, radios, cameras, security screens, fire alarms, keys, locks, etc.

- 13. <u>Tattooing and Piercing</u> Tattooing and piercing are prohibited.
- 14. <u>Theft</u> Youth shall not steal from each other, staff, visitors or the state, or be in possession of stolen items.

15. Threats and Intimidation –

- a. Youth shall not threaten employees in any manner, interfere with or resist an employee in the performance of his duties, or attempt to intimidate or coerce an employee.
- b. Youth shall not threaten other youth.
- c. Youth shall not incite youth to threaten or harm other youth.

D. Pre-hearing Procedures:

Major violations will be written up on the Major Violation Report form [Attachment B.5.1 (b)] by the reporting employee, who should give a copy of the Major Violation Report to the youth by the end of the shift, but no later than 24 hours from the time of the violation. At this time, the youth shall make his election of a staff representative. If the youth refuses or is unable to sign the Major Violation Report, this must be documented on the form with the reporting employee's signature along with another employee's signature who witnessed the refusal or inability to sign. Failure to obtain the appropriate signatures within the 24 hour period, shall result in a dismissal of the violation.

Attachment B.5.1 (i) "Major Violation Report Supplemental Page" should be used as needed in addition to the Major Violation Report.

E. Rights and Notices:

- 1. A youth has the right to receive a copy of the Major Violation Report before the end of the reporting employee's shift, but no later than 24 hours from the time of the violation.
- 2. A youth has the right to receive notice [Attachment B.5.1 (c)] of the time and date of the hearing at least 24 hours before the hearing. This notice shall be handed to the youth or posted in his living and/or dining area.

- a. The notice will cite the youth's name, the date of the violation, the date and time of the conduct hearing, and the date and time the notice is posted and by whom.
- b. The youth's rights relating to the hearing process shall be posted with the notice. If the notice of the hearing is handed to the youth, a copy of his rights relating to the hearing process shall be given to him as well.
- c. If the hearing is held less than twenty-four (24) hours from the time of the notice, Waiver #1 [Attachment B.5.1 (d)] must be signed by the youth and witnessed by a staff member. If the youth does not sign the waiver, the hearing must be held 24 hours after notice is given to the youth.
- 3. A youth has the right to be present at the hearing unless he waives this right by signing Waiver #2 [Attachment B.5.1 (d)] or by exhibiting disruptive behavior which shall be documented on the record. The youth's signature on the waiver must be witnessed by a staff member. If the youth refuses or is unable to sign the waiver, this must be documented on the form with the Code of Conduct Officer/staff member signature and another employee signature who witnessed the refusal or inability to sign.
- 4. A youth has the right to request a staff member to represent him during the Conduct Code hearing. The youth shall make this selection on the Major Violation Report at the same time he is given the report and signs for it. If his specified representative is not reasonably available, another staff member shall be appointed to represent him.
- 5. A youth has the opportunity to present evidence and may request witnesses (another youth or staff) to provide testimony on his behalf. This Motion to Call Witnesses shall be made at the time of the hearing. The Committee and the youth may also agree to stipulate to testimony rather than obtaining the witness' presence.
- 6. A youth has the right to receive a copy of the decision, including reasons for the disposition and consequences, at the conclusion of the hearing.
- 7. A youth has the right to appeal the decision to the facility director and to receive a copy of that decision. (Refer to pg. 15, Section VI. J.)

- 8. A youth has the right to have the Deputy Assistant Secretary for Facilities review the Director's decision and to receive a copy of that decision. (Refer to pg. 15, Section VI. J.)
- 9. Ensuring that the hearing notice is posted and that all of the necessary waivers and forms are made available to the youth in advance of the hearing (as described in Section E, 2-8) is the responsibility of the facility Code of Conduct/Legal Programs officer or his designee.

F. Rights and Notices when youth is placed in CIU immediately after the offense is committed:

- 1. A youth has the right to receive a copy of the Major Violation Report before the end of the reporting employee's shift.
- a. The hearing shall take place within 24 hours of the placement of the youth in CIU. If this deadline cannot be met for administrative reasons, the hearing shall take place at the next available hearing after the youth was placed in CIU.
 - b. The youth's rights relating to the hearing process shall be given to him as soon as possible after his placement in CIU.

NOTE: Waiver #1 is not required for youth placed in CIU immediately after the offense is committed due to the mandatory 24 hour hearing.

- 3. A youth has the right to be present at the hearing unless he waives this right by signing Waiver #2 [Attachment B.5.1 (d)] or by exhibiting disruptive behavior which shall be documented on the record. The youth's signature on the waiver must be witnessed by a staff member. If the youth refuses or is unable to sign the waiver, this must be documented on the form with the Code of Conduct Officer/staff member signature and another employee signature who witnessed the refusal or inability to sign.
- 4. A youth has the right to request a staff member to represent him during the Conduct Code hearing. The youth shall make this selection on the Major Violation Report at the same time he is given the report and signs for it. If his specified representative is not reasonably available, another staff member shall be appointed to represent him.

- 5. A youth has the opportunity to present evidence and may request witnesses (another youth or staff) to provide testimony on his behalf. This Motion to Call Witnesses shall be made at the time of the hearing. The Committee and the youth may also agree to stipulate to testimony rather than obtaining the witness' presence.
- 6. A youth has the right to receive a copy of the decision, including reasons for the disposition and consequences, at the conclusion of the hearing.
- 7. A youth has the right to appeal the decision to the facility director and to receive a copy of that decision. (Refer to pg. 15, Section VI. J.)
- 8. A youth has the right to have the Deputy Assistant Secretary for Facilities review the Director's decision and to receive a copy of that decision. (Refer to pg. 15, Section VI. J.)
- 9. Ensuring that all of the necessary waivers and forms are made available to the youth in advance of the hearing (as described in Section VI. E. 2-8) is the responsibility of the facility Code of Conduct/Legal Programs officer or his designee.

G. <u>Major Violation Hearing Procedures</u>:

1. Conduct Code Committee

- a. The Conduct Code/Legal Programs Officer is assigned by the facility director and is responsible for coordinating, scheduling, publishing hearing notices, conducting and chairing the Conduct Code hearings, or selecting and training others to conduct and chair the hearings. The hearings shall take place in a private setting. All hearings must be audio recorded.
- b. The Conduct Code Committee shall be composed of three members from a minimum of two of the following departments, one of whom shall be designated and trained by the Conduct Code Officer to be the Conduct Code Committee Chairman:
 - 1) security or Youth Care,
 - 2) education,

- 3) social services,
- 4) administrative personnel, and
- 5) recreation.
- c. The Conduct Code Officer shall ensure that committee members are appropriately trained in the Code of Conduct, its rules, and the proper way to conduct a Code of Conduct hearing.

2. Procedures

- a. The Code of Conduct hearing shall take place within seven
 (7) calendar days following the issuance of the Major Violation Report.
- b. Exception youth in CIU shall have a hearing within 24 hours from the time they are placed in CIU. Committee hearings held on the weekends may be conducted by a two-member committee provided the person responsible for setting up weekend hearings has made every effort to locate a third member and has been unsuccessful. This person shall state, for the record, his efforts to locate the third committee member. If this deadline cannot be met for administrative reasons, the hearing shall take place at the next available hearing after the youth was placed in CIU. (Refer to YS Policy C.4.5 Crisis Intervention Unit.)
- c. The Code of Conduct Officer/Staff Representative/Code of Conduct Committee must, on the record, advise youth of their rights before the hearing, and ask if the youth understand their rights. The youth's answer must be recorded on the Major Violation Report.
- d. Youth wishing to waive the 24 hour notice of hearing and/or their presence at the hearing shall execute the Waiver form [B.5.1(d)] prior to or at the beginning of the hearing.

The Hearing

a. Before an individual youth enters the hearing room for his hearing, the Conduct Code Officer shall provide a copy of the Major Violation Report to the committee members, or

- ensure that the Committee reads the Major Violation Report into the record at the beginning of the hearing.
- b. The youth and/or his representative shall have an opportunity to respond to the Major Violation Report by presenting his case to the committee.
- c. The youth has the opportunity to make a statement and present documentary evidence and witnesses (another youth or staff) on his behalf. If the Committee denies the youth's request for a witness or for documentary evidence, the reasons for that denial shall be recorded on the Major Violation Hearing Form.
- d. Each hearing shall last as long as necessary to allow a full statement by the youth and/or his Staff Representative and for the Chairman and members to ask questions.
- e. Appropriate staff (e.g. LSUHSC or SSD staff) shall be assigned to represent the SMI and/or MR youth at Conduct Code hearings, along with the youth's staff representative as described in Section IV. E. 4.
- f. The youth whose violation is being heard may be excluded during the testimony of another youth/witness whose testimony must be given in confidence. Reasons for the removal or exclusion of a youth from the hearing process must be stated on the record in the youth's presence.

4. The Decision

- a. Once all parties are heard, the Conduct Code Committee shall deliberate and complete the voting section of the Major Violation Form which indicate the decision as guilty, not guilty or dismissed.
- b. The Committee can only consider evidence and testimony that it hears or receives during the hearing.
- c. The Committee's decision shall be recorded on the bottom portion of the Major Violation Report [Attachment B.5.1 (b)].

- d. At least two members of a three-member Conduct Code Committee must concur to render a decision. A two-member Committee must reach a unanimous decision, or dismiss the violation.
- e. At the completion of the hearing, the youth shall be given a copy of the completed Major Violation Report.

5. Major Violation Consequences

- a. The following is a list of possible consequences that may be imposed when a guilty decision is rendered. Other consequences may be applicable depending on the individual needs of the youth.
 - 1) Youth discussion with staff and peers.
 - Write and/or verbally apologize to the person offended, followed by discussion with the person offended.
 - 3) Write a report or give an oral report related to the behavior/violation
 - 4) Read selections on pro-social skills or listen to selections on audio tape.
 - 5) Contract for specific behavior change.
 - 6) Area restriction for fifteen (15) to sixty (60) minutes.
 - 7) Time-out: Fifteen (15) to sixty (60) minutes in CIU as a "cooling off" period.
 - 8) Non-monetary restitution (service work).
 - 9) Loss or limitation of privileges that are not LaMOD Stage privileges for a maximum of twenty-four (24) hours.
 - 10) Removal of items from youth's living area (excluding LaMOD Stage items).
 - 11) Recommend LaMOD Stage freeze or reduction.
 - 12) Recommend a revision of the youth's IIP.
 - 13) Assignment to a specific skill development group that is not on the youth's treatment plan.
 - 14) Mandatory attendance in a specific core program.
 - 15) Loss of one (1) off-grounds recreational activity or restriction from activities.
 - 16) Recommend change in job or dorm assignment or work status.

- 17) Placement in CIU for a prescribed amount of time not to exceed five (5) days.
- b. If a youth is found guilty of injuring someone or damaging property, monetary restitution in a fixed amount may be ordered as an enhancement to the consequences imposed.
- c. Consequences may be suspended for a period not to exceed two weeks, pending demonstration of appropriate behavior for a defined period of time. If the youth shows improved and appropriate behavior during that time, the consequence shall not be imposed.
- d. Violations shall be reported to the youth's judge in the quarterly report and discussed during staffings.
- e. Code of Conduct violations rising to the level of criminal conduct shall be referred to the District Attorney for possible prosecution. (See YS Policy C.1.3.)

6. Order of Restitution

If a youth is found guilty of injuring someone or damaging or destroying property, escaping or attempting to escape, causing or attempting to cause injury to himself or others, monetary restitution in a fixed amount may be ordered as an enhancement to the consequences imposed by implementing Attachment B.5.1 (g) "Notice of Restitution".

7. Consequences for Conduct Code Violation SHALL Not Include:

- a. Corporal Punishment.
- b. Room restriction or room confinement for more than two hours without an opportunity for at least two (2) hours of planned recreation per day outside the immediate living quarters (excluding meals and personal hygiene).
- c. Denial of access to medical and dental care, courts, legal counsel, government officials, grievance procedures, personal legal papers and legal research materials.

- d. Different meals than those provided to other youth in that facility or program.
- e. Humiliation or mental abuse; or interference with the daily functions of living, such as eating or sleeping, for punitive purposes.

8. Disposition of Records

- a. If the violation is dismissed, the Major Violation Report shall not be included in the youth's case record.
- b. If the youth is found guilty, the Conduct Code Committee shall assign a consequence to the youth and indicate whether the consequence is suspended or imposed. The record shall reflect that decision and the documentation shall remain in the youth's case record.
- c. If the youth is found not guilty, the record shall reflect that decision and the documentation shall remain in the youth's case record.

H. Retention of recordings of hearings:

Recordings of hearings must be retained for a period of ten (10) years beyond the youth's eighteenth (18th) birthday by the facility where the hearing took place.

I. Special Population Considerations:

- 1. When an SMI or MR youth gets a Major Violation Report, the Conduct Code Officer shall prepare an SMI/MR Youth Major Conduct Code Report [Attachment B.5.1 (e)]. The Conduct Code Officer shall send the report, along with a copy of the Major Violation Report, to the appropriate mental health professionals, who shall determine if the violation is directly related to the youth's mental illness or low cognitive abilities. This determination should be made as soon as possible to avoid an unnecessary hearing and shall be recorded on Attachment B.5.1 (e), and be returned to the Conduct Code Officer.
- 2. When a violation of the Code of Conduct is directly related to the youth's mental illness and/or low cognitive abilities, the LSUHSC staff (for SMI youth) and/or OJJ caseworker (for MR youth) shall immediately initiate interventions designed to correct the youth's

behavior, and the Conduct Code Committee shall dismiss the violation.

J. <u>Appeal Process</u>:

- 1. An appeal is not available to a youth who enters a guilty plea to the charge(s) in a Major Violation Report, or who waives his appearance at the hearing.
- 2. During the appeal process, the youth's consequence(s) are suspended until a final decision is made.
- 3. A youth may appeal the findings of the Code of Conduct Hearing Committee to the Director or designee as described below:
 - a. At the conclusion of a Major Violation Report hearing, after the Committee has made its findings and imposed consequences, the Committee Chairman shall ask the youth if he wishes to appeal.
 - b. The youth may appeal his case within five (5) calendar days of the hearing, but the consequences shall be suspended only if the youth asks for an appeal at the conclusion of the hearing.
 - c. If restrictive consequences have been imposed, such as placement in CIU for a certain time, those consequences shall be suspended and the Director or his designee shall immediately review the case on appeal and provide a written response.
 - d. The Director shall render a written decision no later than seven (7) calendar days from the date he received the appeal, and provide a copy to the youth.
 - e. If the appeal is granted, the consequences and the guilty plea are invalidated and all reference to the matter shall be removed from the youth's record.
- 4. Within five (5) calendar days of receiving the Director's decision, a youth may request a review of the decision by the Deputy Assistant Secretary for Facilities. The Deputy Assistant Secretary shall render a written decision no later than ten (10) calendar days from

the date he received the appeal, and provide a copy to the youth and facility director.

VII. Implementation Date:

October 1, 2009

Previous Regulation/Policy Number: B.5.1
Previous Effective Date: 05/29/09



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Attachments/References: B.5.1 (a) Minor Violation Report.doc B.5.1 (b) Major Violation Report 10-1-09.doc









B.5.1 (c) Notice of Hearing.doc B.5.1 (d) Waiver.doc B.5.1 (e) SMI-MR CDC Report.doc B.5.1 (f) Hearing Rights 10-1-09.doc





B.5.1 (g) Notice of Restitution.doc B.5.1 (h) Youth Receipt Form 10-1-09.doc



B.5.1 (i) Major Violation Report Supplemental Page 10-1-09.doc